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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

LORENZO D. COURTNEY,

Defendant and Appellant.

D055053

(Super. Ct. No. SCE287411)

APPEAL from a judgment of the Superior Court of San Diego County, Louis R. Hanoian, Judge. Affirmed.

Lorenzo D. Courtney pleaded guilty, pursuant to a plea agreement, to forgery of a financial institution's paper. (Pen. Code, § 476.)¹ Courtney also admitted a 1985 prior strike conviction for a violation of section 288, subdivision (a). (§§ 667, subd. (b)-(i), 1170.12.) In exchange for the plea, Courtney received a four-year stipulated sentence, and the court dismissed the following charges and allegations: one count of forgery of a

¹ Statutory references are to the Penal Code unless otherwise specified.

seal and handwriting of another (§ 470, subd. (b)), one count of forgery for possession of blank or unfinished paper (§ 475, subd. (b)), eight probation denial priors (§ 1203, subd. (e)(4)) and five prison priors (§ 667.5, subd. (b)). The court also awarded credits, and imposed restitution, a \$20 court security fee (§ 1465.8) and a \$30 criminal conviction assessment fee (Gov. Code, § 70373). Courtney appeals. We affirm.

FACTS

A police officer stopped Courtney while he was driving. The officer discovered eight fraudulent checks signed "Michael Robbertson" while searching the car.² The officer also found a fake California driver's license with Courtney's picture on it, but bearing the name Michael Robbertson.

DISCUSSION

Appointed appellate counsel has filed a brief summarizing the facts and proceedings below. Counsel presents no argument for reversal, but asks this court to review the record for error as mandated by *People v. Wende* (1979) 25 Cal.3d 436. Pursuant to *Anders v. California* (1967) 386 U.S. 738, counsel lists, as possible, but not arguable, issues: whether the court erred by imposing the criminal assessment fee and court security fee; whether the court erred by imposing sentence for the 1985 strike prior; and whether trial counsel was ineffective.

We granted Courtney permission to file a brief on his own behalf. Courtney contends: (1) trial counsel was ineffective because he was indifferent, failed to mount

² As part of the plea agreement, Courtney waived his right to appeal the search.

any type of defense and persuaded Courtney to plead guilty when he wanted to go to trial; and (2) his 1985 prior strike conviction should have been stricken because it does not fall within the spirit of the Three Strikes law.

Courtney's ineffective assistance of counsel contention is not reviewable on appeal because he requested a certificate of probable cause on this issue, and it was denied. (§ 1237.5; Cal. Rules of Court, rule 8.304(b); *In re Chavez* (2003) 30 Cal.4th 643, 651.) Moreover, Courtney references his attorney's case file and notes that are not part of the record on appeal. (*People v. Mendoza Tello* (1997) 15 Cal.4th 264, 266 [if record on appeal sheds no light on why counsel acted or failed to act in the manner challenged, the claim on appeal must be rejected].) Likewise, Courtney's challenge to his prior strike conviction is not reviewable because he admitted the strike, and waived his right to appeal "issues related to strike priors." (*People v. Nguyen* (1993) 13 Cal.App.4th 114, 119; Cal. Rules of Court, rule 4.412.)

A review of the record pursuant to *People v. Wende*, *supra*, 25 Cal.3d 436 and *Anders v. California*, *supra*, 386 U.S. 738, including the possible issues counsel listed pursuant to *Anders*, has disclosed no reasonably arguable appellate issues. Courtney has been competently represented by counsel on this appeal.

DISPOSITION

The judgment is affirmed.

O'ROURKE, J.

WE CONCUR:

McCONNELL, P. J.

HALLER, J.